

**REMARKS**

Reconsideration of the above application is respectfully requested.

**I. Status of the Claims**

Claims 1, 3, 7, and 8 have been amended.

Claims 11 and 12 have been added.

No new matter has been added by way of amendment or addition.

Claims 1-12 are pending.

**II. Acknowledgement of Allowable Subject Matter**

Applicant thanks the Examiner for the indication that claims 3, 7 and 8 contain allowable subject matter. Applicant has amended claim 3, 7 and 8 to be in independent form and contain the elements of all intervening claims. Applicant submits that claims 3, 7, and 8 are allowable. Further, claims 11 and 12 contain elements of claims 7 and 8, respectively, and are allowable.

**III. Telephone Interview**

Applicant thanks the Examiner for all of the courtesies extended to the Applicant's representative, Louis DeJuidice, in the telephone interview conducted on October 11, 2005. The term "movably" and "pivotably" were discussed in relation to the art of record.

**IV. Rejections Under 35 U.S.C. § 103**

Claims 1, 2, 4-6, and 9-10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,158,279 to Saiki in view of U.S. Patent No. 6,616,165 to Tsuji. The Examiner contends that Saiki discloses that the bulb 62 is removable from a rear side of the lamp 30 and that the meter unit is movable to allow access to the interior of the headlight case. The Examiner, however, states that Saiki does not disclose a meter unit that is movable between two positions, but that Tsuji discloses this feature. Applicant respectfully traverses these rejections, and reconsideration is respectfully requested.

Claim 1 has been amended to recite that the meter is disposed “pivotably” between two positions and one of the two positions is a bulb replacing position. Applicant submits that Saiki does not disclose or suggest a pivotable meter to gain access to the headlamp to replace the bulb therein.

Saiki’s meter is fixed in place. Saiki discloses a speedometer mounting device that includes a headlight case 60 and a light body 61 in the headlight case 60. A bulb 62 is removably attached to the light body 61. The headlight case 60 includes a meter mounting hole 64 at an upper rear side and a wiring hole 65 at a lower rear side. A speedometer 32 is inserted through the meter mounting hole 64 from above the headlight case 60 and mounted to a meter stay 66 using machine screws 76. *See*, Saiki, column 4, lines 1-58. Thus, Saiki’s meter is firmly fixed in place and is not intended to be moved once placed.

Further, Applicant has reviewed the disclosure of Saiki and there is no teaching or suggestion to access the headlight case 60 through meter mounting hole 64. Headlight case 60 is illustrated as a typical headlight case and one of ordinary skill in the art is aware that the standard headlight case is accessed through the front of the case.

Furthermore, Applicant submits that Saiki teaches away from a meter that pivots or moves. The teaching of Saiki encompasses a device and method to securely fix the speedometer to the headlight case. One of ordinary skill in the art is taught away from any modification that could unfix the meter. Unfixing Saiki's meter can lead to unwanted vibration and rattle noises that one of ordinary skill in the art would know to avoid.

Regarding Tsuji, Applicant respectfully submits that the reference does not teach or suggest the elements contended by the Examiner. Tsuji discloses a meter display 45 that is pivotably mounted on a cover for a storage compartment located at a front side of a vehicle. The Examiner contends that the meter display is pivotably mounted to allow access to an enclosure that mounts a head lamp.

Applicants submit that Tsuji does not disclose or suggest accessing the head lamp from under the pivotable meter display. As shown in Figs. 2 and 3, the storage compartment 27 does not include an opening for accessing the headlight and Tsuji does not disclose being able to access the bulb from the rear of the headlight. Further, one of ordinary skill in the art is not taught or motivated to access the headlight from the storage compartment. There is no indication in Tsuji that access to the headlamp is allowed from that position.

Also, Tsuji suggests that the storage compartment 27 is water sealed, since he provides drain opening 36 to allow any water that enters the storage compartment to drain out. *See*, Tsuji, column 2, lines 38-42. Thus, one of ordinary skill in the art is taught away from breaking a water tight seal and the concurrent difficulties of resealing the storage compartment back in place once removed to access anything below the storage compartment. Therefore, Tsuji also does not disclose a bulb mounting and removing portion in the rear surface of a head lamp unit, as set forth in claim 1.

Thus, neither Saiki nor Tsuji disclose or suggest all of the features of the present invention described above. Neither reference discloses or suggests allowing access to a head lamp unit from a rear surface thereof, as set forth in claim 1. Furthermore, neither Saiki nor Tsuji disclose or suggest a bulb mounting and removing portion in the rear surface of a head lamp unit, as set forth in claim 1.

Applicant respectfully submits that for at least the aforementioned reasons, the rejection of claims 1, 2, 4-6 and 9-10 under 35 U.S.C. § 103(a) should be withdrawn, and reconsideration is respectfully requested.

### **CONCLUSION**

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

If there are any other issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: October 18, 2005

Respectfully submitted,

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